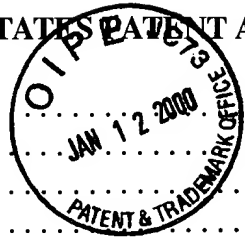


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application Serial No. 09/332,271
Filing Date June 11, 1999
Inventor Klaus Florian Schuegraf et al.
Assignee Micron Technology, Inc.
Group Art Unit 2811
Examiner Unknown
Attorney's Docket No. MI22-532
Title: Methods for Forming Wordlines, Transistor Gates, and Conductive
Interconnects, and Wordline, Transistor Gate, and Conductive Interconnect
Structures

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OFFICE OF PETITIONS
DEPUTY A/C PATENTS

PETITION FOR FILING BY ASSIGNEE

To: Assistant Commissioner For Patents
Washington, D.C. 20231

From: David G. Latwesen (Tel. 509-624-4276; Fax 509-838-3424)
Wells, St. John, Roberts, Gregory & Matkin P.S.
601 W. First Avenue, Suite 1300
Spokane, WA 99201-3828

Applicant, Micron Technology, Inc., hereby petitions the Commissioner to accept the filing of the above-identified U.S. Patent Application by Micron Technology, Inc., as the party to which the invention disclosed and claimed in said patent application rightfully belongs, and on behalf of and as agent for the inventor. This Petition and the following listed documents are presented in response to the U.S. Patent and Trademark Office's Notice to File Missing Parts of Application.

Three Declarations are attached hereto (Declarations of David G. Latwesen, Michael L. Lynch and Karen Brasefield); together with a copy of the "Assignment of Inventions, Rights and Confidential Information

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02 FC:122

1 Agreement" (which is attached to the Declaration of Michael L. Lynch and
2 marked as Exhibit "A") executed by Klaus Florian Schuegraf, a joint inventor;
3 and a copy of the "Assignment" executed by Randhir P.S. Thakur, the other
4 joint inventor. The above-identified attached documents evidence pertinent
5 facts concerning the refusal of Klaus Schuegraf to join in the present
6 application for patent, and establish a chain of title to demonstrate that
7 Micron Technology, Inc. has ownership in the matter, seeks to take action in
8 this matter, and that such action is necessary to preserve the rights of Micron
9 Technology, Inc.

10 The name and address of the inventor refusing to join this application
11 is as follows:

12 Klaus Florian Schuegraf
13 26895 Aliso Creek Rd.
Aliso Viejo, CA 92656

14 The invention was developed under the authorization of Micron
15 Technology, Inc. (hereinafter "Micron") by Mr. Klaus Florian Schuegraf and
16 Randhir P.S. Thakur, who were employed by Micron to do so.

17 Micron is entitled to clear title to the invention, to the above-identified
18 patent application, and to any patent which is issued on the above-identified
19 patent application.

20 As evidenced by the accompanying "Assignment of Inventions, Rights
21 and Confidential Information Agreement", Mr. Schuegraf executed an
22 agreement with Micron wherein Mr. Schuegraf agreed to assign to Micron all
23 of his rights in inventions made while an employee of Micron. As evidenced

1 by the Declaration of Michael L. Lynch, the subject matter of the above-
2 identified application was developed while Mr. Schuegraf was an employee of
3 Micron. As evidenced by the accompanying "Assignment", Mr. Thakur
4 executed an agreement with Micron wherein Mr. Thakur agreed to assign all
5 of his rights, title and interest in the above-identified application (The original
6 "Assignment" has been sent to the Assignment Division of the U.S. Patent and
7 Trademark Office for recordation). Accordingly, Micron is entitled to clear
8 title to the subject matter of the application, to the above-identified patent
9 application, and to any patent which issues on the patent application.

10 Mr. Schuegraf has left the employ of Micron and will not execute
11 papers required for filing the above-identified patent application. Such refusal
12 of Mr. Schuegraf to execute the required papers is evidenced by the
13 accompanying Declaration of David G. Latwesen. As Micron has clear title
14 to the above-identified application, and as Mr. Schuegraf refuses to execute
15 the required papers for filing of the above-identified application, Micron is
16 entitled to make such application on behalf and as agent for the inventor
17 pursuant to 37 C.F.R. §1.47(a).

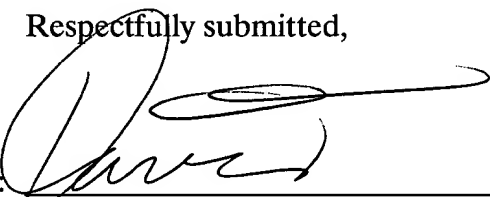
18 The Declaration of Karen Brasefield demonstrates that a bona fide
19 attempt was made to present a copy of the application papers to Mr.
20 Schuegraf for signature.

21 An Oath pursuant to 37 C.F.R. §1.63 and executed by the available
22 joint inventor is provided herewith. Such Oath has a blank for signature by
23 Klaus Schuegraf, as well as the signature of the joint inventor Randhir P.S.

1 Thakur, and is thus sufficient under M.P.E.P. §409.03(a) to evidence that the
2 Oath was signed by Mr. Thakur on behalf of himself and Mr. Schuegraf.
3 Such Oath accordingly meets the requirements of 37 C.F.R. §1.47(a), and
4 Applicant requests acceptance and entry of the Oath into the application file.

5 The required fee pursuant to 37 C.F.R. §1.17(i) is enclosed together
6 with the fee under 37 C.F.R. §1.16(e) for responding to the request for
7 missing parts.

8 The accompanying documents and payment satisfy the requirements of
9 37 C.F.R. §1.47(a) for filing when a joint inventor refuses to join in an
10 application. Applicant therefore requests that the petition be granted.
11 Further, the filing and granting of this petition, together with the enclosed
12 payment, satisfies the Patent and Trademark Office's (PTO) request for
13 missing parts. Applicant therefore requests that the PTO provide formal
14 notification that Applicant has satisfactorily responded to the "Notice to File
15 Missing Parts of Application," and proceed with substantive examination of the
16 application.

17 Respectfully submitted,
18
19 Dated: 1/3/00 By: 
20 David G. Latwesen, Ph.D.
21 Reg. No. 38,533

22 Encls: Declaration of Michael L. Lynch; Declaration of David G. Latwesen; Declaration of
23 Karen Brasefield; Assignment of Inventions, Rights and Confidential Information
Agreement; Assignment.